

# JOURNAL OF THE SENATE

Monday, May 7, 1945

The Senate convened at 4:00 o'clock P. M., pursuant to adjournment on Friday, May 4, 1945.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

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A quorum present.

Senator McKenzie was excused from attendance upon the session.

The following prayer was offered by the Chaplain:

"More than for all else, O generous God, we ask for thankful hearts. As we receive Thy gifts and blessings of life and love, may we turn to Thee to praise and thank Thee. May we share each bounty of Thine, of things seen and things unseen, however large or small, with those around us who are in need of body or soul. Thus may Thy gifts be multiplied through us a thousandfold, O gracious Giver of all. Amen."

The reading of the Journal was dispensed with.

The Journal of Friday, May 4, 1945, was corrected as follows:

Page 26, column 1, in line 9, counting from the bottom of the column, strike out the word "first" and insert in lieu thereof the word "third".

And as corrected was approved.

## REPORTS OF COMMITTEES

Your Committee on Education, to whom was referred:

H. B. No. 53—A bill to be entitled An Act to amend section 1 of Chapter 22054, Laws of Florida, Acts of 1943, entitled: "An Act relating to entrance and graduation requirements of certain colleges and universities, providing for the waiver of certain entrance and graduation requirements for certain persons inducted into the armed forces during and after January, 1940 prescribing the rights of such persons with reference thereto, and repealing all laws in conflict herewith.

Which amendment is as follows:

No. 1.

By adding thereto:

Section 2. This Act shall take effect immediately upon its becoming a law.

And House Bill No. 53, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on Second Reading.

Your Committee on Pensions and Claims, to whom was referred:

S. B. No. 386—A bill to be entitled An Act for the relief of M. Leo Elliott.

Have had the same under consideration, and recommend that the same do pass.

And Senate Bill No. 386, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Public Health, to whom was referred:

S. B. No. 146—A bill to be entitled An Act to provide for the acceptance of funds or grants by the State Board of Health; to provide for the manner in which said funds or grants shall be disbursed.

Have had the same under consideration and recommend that the following Committee Substitute therefor do pass:

A bill to be entitled An Act to provide for the acceptance of funds or grants by the State Board of Health; to provide for the manner in which said funds or grants shall be disbursed.

And Senate Bill No. 146, contained in the above report, together with Committee Substitute therefor, was placed on the Calendar of Bills on Second Reading.

Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading—

S. B. No. 87—A bill to be entitled An Act relating to taxation, levying and imposing a tax on cigarettes; defining cigarettes; requiring all cigarette dealers as herein defined to obtain a cigarette permit and exacting a fee therefor in addition to other taxes imposed by law; providing for the report of sale or other disposition of cigarettes, and the collection and payment of cigarette taxes; providing for the deposit, appropriation and disposition of the proceeds derived from such taxes and fees, and prescribing the duties and powers of the Director of the State Beverage Department and other officers and employees under this Act and providing for payment of their salaries and other expenses of the administration of this Act; providing for bonds by agents and dealers; providing for the enforcement of this Act and penalties for violation hereof.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

And Senate Bill No. 87, contained in the above report, was certified to the House of Representatives.

Your Joint Committee on Enrolled Bills, to whom was referred:

S. B. No. 79—An Act relating to the admission of female students who are the wives of servicemen as described in Chapter 4, title two, of the "Servicemen's Readjustment Act of 1944", as passed by the Congress of the United States of America, at the University of Florida; and to the admission of male students who are the husbands of service women, as described in said "Servicemen's Readjustment Act of 1944" at the Florida State College for Women; and providing the qualifications and conditions under which such students may enroll at said Institutions.

Also—

S. B. No. 281—An Act ratifying, confirming, validating and legalizing the assessments, valuations of properties and levies of taxes by the City of Hawthorne, Alachua County, Florida, for the years 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943 and 1944 and authorizing the collection of said taxes in manner provided by law.

Also—

S. B. No. 283—An Act to authorize County of Sarasota to contribute a sum not exceeding seven thousand five hundred dollars for repairs to the "Siesta Bridge" in the City of Sarasota; to require an appropriation therefor in said County's 1945-1946 fiscal year's budget; and to direct the levy of a special millage to pay said appropriation.

Also—

S. B. No. 285—An Act to amend Section 6 of Chapter 8277, Laws of Florida, Acts of 1919, as amended by Section 1 of Chapter 19905, Laws of Florida, Acts of 1939, entitled "An Act providing for pensions for employees of the City of Jacksonville."

Also—

S. B. No. 287—An Act to assist in financing the operation of a Central Veterans' Service Office in Sarasota County to the end of said County's 1945 fiscal year; to provide funds by county taxation for such purpose; and to support a pledge of such funds made by the Board of County Commissioners of said County.

Also—

S. B. No. 297—An Act prescribing the compensation and

mileage of the County Commissioners of Sarasota County, Florida, and providing for payment thereof.

Also—

S. B. No. 303—An Act ratifying and confirming the Civil Service System of the City of Sanford, Florida, established by Ordinance No. 349 of said City, passed and adopted on the 8th day of May, 1944, as amended by Ordinance No. 365, passed and adopted on the 14th day of February, 1945, and the rules and regulations adopted by the Civil Service Board of said Civil Service System, except as said System and said rules and regulations may be modified or changed by this Act.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Your Joint Committee on Enrolled Bills, to whom was referred:

H. B. No. 188—An Act to provide a period of limitations on actions to enforce or foreclose certain mortgages or other instruments encumbering real estate, to provide for the extension of the lien of such instruments by extension agreements to provide for the filing and recording of such extension agreements, to provide for the entry on the margin of the record of such instruments of a reference to the filing for record of the extension agreements, and to fix the fee of the clerk of the court for filing and recording such extension agreements, and for the entry on the record of such instruments of a reference to the extension agreements.

Also—

H. B. No. 320—An Act to amend Section 123 of Chapter 8374, Laws of Florida, Acts of 1919, the same being An Act entitled "An Act to abolish the present municipal government of the City of Tallahassee, in the County of Leon, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Tallahassee, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges," relating to municipal elections and the canvass of returns thereof, by providing that the polls in municipal elections shall open at nine o'clock A. M. and close at seven o'clock P. M.

Also—

H. B. No. 324—An Act providing for the distribution and use of race track funds allocated to DeSoto County, Florida, under Chapter 14832, Laws of Florida, Acts of 1931, or any Act amendatory or supplementary thereto, or any other race track Acts.

Also—

H. B. No. 348—An Act to amend Section 32 of Chapter 22295, Laws of Florida, Acts of 1943, reenacting said Section and providing in addition thereto that purchases made by the City of Fort Myers from the United States of America or any agencies or bureaus be excepted from the purchases of said Section.

Also—

H. B. No. 349—An Act making occupational, license or privilege taxes levied by the City of Fort Myers, Florida, a municipal corporation, a lien upon the property of the business or profession licensed or taxed; and declaring such liens to be of equal dignity with ad valorem tax liens of said City of Lee County, Florida; and providing for the enforcement and collection of such taxes by issuance of distress warrants and by public sale of all personal property levied by distress warrants, and otherwise providing for the enforcement and collection of such taxes.

Also—

H. B. No. 350—An Act empowering the City of Fort Myers, a municipal corporation, and preserving to said City its power and authority to levy and collect an excise tax of not to exceed one cent per package on the sale, purchase, distribution, use, consumption or other disposition of cigarettes.

Also—

H. B. No. 351—An Act to grant to the City of Fort Myers, Florida, the authority to exercise the right and power of eminent domain for acquiring lands for water works, pumping stations, water mains, well fields and all other installations and operations necessary and incident to securing an adequate water supply for said city, and authorizing the use of said power of eminent domain outside and beyond the territorial limits of said city.

Also—

H. B. No. 352—An Act placing the Chief of Police of the City of Fort Myers, Florida, under civil service as heretofore established for the City of Fort Myers, Florida, police and fire departments, pursuant to the general authorization under Chapter 174, Florida Statutes of 1941.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Senator Shands moved that a committee be appointed to escort Captain John Milton Brownlee, United States Army, to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senators Shands and Johns as the Committee.

Senator Gray moved that Senate Bill No. 154 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

The Special Committee appointed pursuant to Senate Resolution No. 3 to investigate certain conditions at the Florida State Hospital filed its report, which was read.

Senator Fraser (31st Dist.) moved that Senate Bill No. 227 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Brackin—

S. B. No. 388—A bill to be entitled An Act to declare, designate and establish a certain State Road in Crestview, Okaloosa County, Florida.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Brackin—

S. B. No. 389—A bill to be entitled An Act providing for nominations for election to the offices of United States Senator and Representative to the Congress of the United States, by a political party in a primary election and providing for the qualifying of candidates therefor.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Brackin—

S. B. No. 390—A bill to be entitled An Act to declare, designate and establish a certain State Road in Crestview, Okaloosa County, Florida.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Wilson—

S. B. No. 391—A bill to be entitled An Act granting to the Board of County Commissioners of any county in the State, if the property be outside a municipality, and to the Board of County Commissioners and the governing body of the municipality, if the property be situate within a municipality, the authority to fix the price and to sell at private sale property that was a bona fide homestead and actually occupied by the owner at the time of the decree provided in Section 36 of Section 194.55, Florida Statutes 1941, as amended, if hardship would result to said owner if the price be not less than fifty per cent of the last assessed valuation; amending all laws and parts of laws in conflict herewith; providing when the Act shall take effect.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senators Shands and Davis—

S. B. No. 392—A bill to be entitled An Act to amend Section 321.05, Florida Statutes 1941, relating to the duties of officers of the Florida Highway Patrol, by enlarging such duties and transferring to the Florida Highway Patrol certain duties of the Railroad Commission and of the Motor Vehicle Commissioner.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Riddle—

S. B. No. 393—A bill to be entitled An Act allowing, as a claim against the State of Florida, the amount due to W. R. Faircloth, Tax Collector of Holmes County, Florida, for loss

of compensation in consequence of his suspension from office by the Governor of the State of Florida under Section 15 of Article IV of the Constitution of the State of Florida, and providing for the payment of said claim.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Ausley—

S. B. No. 394—A bill to be entitled An Act amending Section 550.05, Florida Statutes 1941, relating to the applications and the qualifications of applicants to Florida State Racing Commission for permission to conduct race meetings and races under the Laws of Florida; providing the times and dates for the consideration of such applications together with the ratification thereof by a majority of the voters participating in an election to be held in the county in which such applicant proposes to conduct racing; particularly amending said Section 550.05 by the elimination therefrom of the provision that no permit shall be issued by said Commission nor voted upon to conduct dog racing at a location within twenty miles of another location for which a permit had theretofore been issued and a racing plant located; repealing all laws in conflict with this Act and providing when same shall become effective.

Which was read the first time by title only and referred to the Committee on Miscellaneous Legislation.

By Senator Carroll—

S. B. No. 395—A bill to be entitled An Act to authorize the organization of mutual insurance companies with the same powers and subject to the same requirements provided for stock insurance companies.

Which was read the first time by title only and referred to the Committee on Insurance.

By Senator Sanchez—

S. B. No. 396—A bill to be entitled An Act amending Sections 768.05, 768.06 and 768.07 Florida Statutes 1941, and to define the liabilities of common carriers operating in this State in certain cases.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator Thomas—

S. B. No. 397—A bill to be entitled An Act to declare, designate, and establish a State road in Escambia County.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Wilson—

S. B. No. 398—A bill to be entitled An Act authorizing the county commissioners in all counties of the State having a population of not less than 31,400 and not more than 31,500 according to the last Federal Census to expend agriculture and livestock funds and other county funds for purposes herein set out.

Which was read the first time by title only.

Senator Wilson moved that the rules be waived and Senate Bill No. 398 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 398 was read the second time by title only.

Senator Wilson moved that the rules be further waived and Senate Bill No. 398 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 398 was read the third time in full.

Upon the passage of Senate Bill No. 398 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So Senate Bill No. 398 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Riddle—

S. B. No. 312—A bill to be entitled An Act fixing the compensation and mileage allowance of members of the Boards of Public Instruction in all Counties of the State of Florida having a population of not less than 15,000 and not more than 16,000 according to the Federal Census of 1940.

By Senator Coleman (28th Dist.)—

S. B. No. 334—A bill to be entitled An Act to provide for the cancellation and release of all unpaid state and county and special district taxes and tax liens due and owing to or held by the State of Florida and/or the County of Volusia, on certain lands in Ormond, Volusia County, Florida, as in this Act described, and now owned by the Board of Public Instruction of Volusia County, Florida, and providing for the payment in cash of all taxes due the State of Florida by reason thereof.

Proof of Publication of Notice attached to the above bill.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bills Nos. 312 and 334, contained in the above Message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Committee on Privileges & Elections—

S. B. No. 203—A bill to be entitled An Act to amend Section 99.16, the same being Section 318, Compiled General Laws of 1927, relating to the manner in which the substance of proposed Constitutional Amendments shall appear on the ballot; and to provide that the Secretary of State shall furnish to the Counties the phraseology of the substance of said Amendments for printing on the ballots, and authorizing him to give such designating numbers.

By the Committee on Privileges & Elections—

S. B. No. 204—A bill to be entitled An Act providing that candidates for nomination in Primary Elections shall file expense statements required by law with the officer with whom his qualification affidavits are filed, and providing that candidates for nomination in primaries who are automatically nominated because of not having opposition shall not be required to file further expense statements in such primary.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bills Nos. 203 and 204, contained in the above Message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Sturgis—

S. B. No. 32—A bill to be entitled An Act amending Sections 75.05 and 75.06 Florida Statutes 1941, relating to the issuance, service and publication of rules nisi in proceedings for the validation of bonds of counties, municipalities, taxing districts or other political districts or subdivisions of this State.

By Senator Mathews—

S. B. No. 99—A bill to be entitled An Act to authorize the State Board of Health to destroy card indices of births and deaths registered, as required by Section 382.32, Florida Statutes 1941, relating to the duties of the State Registrar of Vital Statistics, after the information thereon has been transferred to permanent bound index volumes.

By Senator Brackin—

S. B. No. 100—A bill to be entitled An Act appropriating certain unexpended funds to State Welfare Fund to be used for old age assistance payments, assistance payments to the needy blind, and assistance payments for aid to dependent children.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bills Nos. 32, 99 and 100, contained in the above Message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted.

By Senator Perdue—

Senate Concurrent Resolution No. 5:

WHEREAS, the Legislature of the State of Florida by Chapter 12261, Laws of Florida, Acts of 1927, established one scholarship for men at the University of Florida and one scholarship for women at Florida State College for Women for each senatorial district in the State; and

WHEREAS, these scholarships have not been provided during recent years because funds were not available to carry out the purposes of this Act; and

WHEREAS, there is urgent need for an increased number of capable students to prepare to teach or to serve their State in some other capacity;

NOW, THEREFORE BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the 1945 Legislature affirm its intention that these scholarships shall become fully operative and that this provision of the law shall be made effective beginning on July 1, 1945.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Concurrent Resolution No. 5, contained in the above Message, was referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Mathews—

S. B. No. 318—A bill to be entitled An Act amending Section 5, Chapter 7175, Laws of Florida, Special Acts of 1915, entitled "An Act providing a pension for members of the Fire Department of the City of Jacksonville, who shall become permanently incapacitated to perform their duties in said de-

partment, or who have served for a number of years, and for other relief, and certain persons dependent upon them for support, and providing a fund for said purposes".

Proof of Publication of Notice is attached to above bill.

By Senator Mathews—

S. B. No. 343—A bill to be entitled An Act authorizing the City of Jacksonville to acquire air rights, aviation easements or other estates or interests in or over lands located near airports in Duval County.

Proof of Publication of Notice is attached to above bill.

By Senator Coleman (28th Dist.)—

S. B. No. 354—A bill to be entitled An Act to authorize the Board of Public Instruction of Volusia County, Florida, to borrow the sum not to exceed sixteen thousand dollars for the exclusive use of erecting and equipping a gymnasium or other similar school building at New Smyrna Beach, Florida, in special tax School District No. 8, of Volusia County, Florida, and to authorize the execution and issuance of a note or notes to evidence said indebtedness and to provide for the levy and collection of an annual tax of two mills on the dollar for a period of three years on all taxable property in Special Tax School District No. 8, of Volusia County, Florida, for erecting and equipping the building as provided for herein and the payment of the indebtedness incurred by reason thereof.

Proof of Publication of Notice is attached to above bill.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bills Nos. 318, 343, and 354, contained in the above Message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Carroll—

S. B. No. 42—A bill to be entitled An Act to amend Section 632.07, Florida Statutes 1941, relating to conditions precedent to license being granted domestic mutual fire insurance associations.

By Senator Carroll—

S. B. No. 46—A bill to be entitled An Act amending Section 284.07, Florida Statutes 1941, relating to the State Fire Insurance Fund and particularly with respect to the employment by the State Treasurer of certain persons, and providing for salaries of such persons, and other expenses, in connection with the administration of such fund.

By Senator Carroll—

S. B. No. 47—A bill to be entitled An Act to regulate the making and applying of rates for fire and all other kinds of insurance which Fire Insurance Companies are authorized to write in this state "Inland Marine Insurance," to provide for the licensing of rating organizations, to provide for the supervision of such rating organizations by the Insurance Commissioner, to prohibit discrimination between risks of the same class and hazard, to provide for the filing of rates with the Insurance Commissioner, the approval or the disapproval by the Insurance Commissioner of all rating systems, to make provision for a hearing thereon at the instance of any interested person with the right of appeal to the Circuit Court of Leon County, Florida, to make the willful violation of the provisions of this Act a misdemeanor as provided therein and for other purposes.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bills Nos. 42, 46 and 47, contained in the above Message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted.

By Senator Gray—

Senate Concurrent Resolution No. 8:

WHEREAS, The Scott's Ferry Bridge over the Chipola River on State Road 6, is at present unnamed, and

WHEREAS, a fitting expression of respect and confidence to Honorable J. H. Dowling for his valued work as Chief State Highway Engineer of the State Road Department and the fine efforts that he is making for advancement of the public road system of the State, could be done by naming the aforementioned bridge the "J. H. Dowling Bridge".

NOW THEREFORE IT BE RESOLVED by the Senate, the House of Representatives Concurring, that the Scott's Ferry Bridge over the Chipola River on State Road 6, be named the "J. H. Dowling Bridge" in honor of Honorable J. H. Dowling, Chief State Highway Engineer of the State Road Department of the State of Florida.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Concurrent Resolution No. 8, contained in the above Message, was referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Sheldon—

S. B. No. 333—A bill to be entitled An Act "Prohibiting the owner or person having the custody and control of cattle, hogs, horses, mules, goats, sheep or other live stock from permitting the running at large of such cattle, hogs, horses, mules, goats, sheep, or other live stock within the following described boundaries in Hillsborough County, Florida, to-wit: Beginning at the Northeast corner of Hillsborough County, which is the Northeast corner of Section 1, Township 27 South, Range 22 East, and run thence South along the Hillsborough-Polk County Line to the Southeast corner of Section 36, Township 29 South, Range 22 East; thence West approximately 3,500 feet to the center line of the Alafia River (sometimes known as Howell's Creek), as shown in U. S. Department of Agriculture Bureau of Soils map of Hillsborough County, Florida, published in 1916; thence Westerly along the center line of the said Alafia River to Hillsborough Bay; thence Northwesterly along the shore line of Hillsborough Bay and old Tampa Bay to the Range Line dividing Ranges 16 and 17 East, which is also the West boundary of Hillsborough County; thence North to the Northwest corner of Hillsborough County; thence East along County line to the Northeast corner of Hillsborough County, which is the point of beginning, and to provide for the enforcement of this Act by the impounding and sale of such cattle, hogs, horses, mules, goats, sheep or other live stock which may be found running at large in said territory."

Proof of Publication of Notice attached to the above bill.

By Senator Coleman (28th Dist.)—

S. B. No. 335—A bill to be entitled An Act ratifying, confirming, validating and legalizing the assessments, valuations of properties and levies of taxes made by the City of Deland, Volusia County, Florida, for the years of 1941, 1942, 1943 and 1944, and authorizing the collection of said taxes in the manner provided by law.

Proof of Publication of Notice attached to the above bill.

By Senator Coleman (28th Dist.)—

S. B. No. 336—A bill to be entitled An Act cancelling all

municipal taxes held by and due and owing to the City of Daytona Beach, Florida, for unpaid taxes upon certain real estate in the City of Daytona Beach, Florida, and now owned by the Board of Public Instruction of Volusia County, Florida, and in this Act described, and exempting said real estate from municipal taxes so long as the same is owned by the Board of Public Instruction of Volusia County, Florida.

Proof of Publication of Notice attached to the above bill.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bills Nos. 333, 335, and 336, contained in the above Message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendments—

By Senator Barringer—

S. B. No. 302—A bill to be entitled An Act authorizing the County Commissioners of Sarasota County, Florida, to use, budget, appropriate for and sustain by levy of county taxes a continuing special fund for the rental or purchase of machinery and equipment for county purposes, and fixing the millage therefor.

Which amendment reads as follows:

In Section 2, line 5, of the section, strike out the words "two and one-half" and insert the following in lieu thereof: "two".

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bill No. 302, contained in the above Message, was read by title, together with the House Amendment thereto.

Senator Barringer moved that the Senate do concur in the House Amendment to Senate Bill No. 302.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 302.

And Senate Bill No. 302, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Mathews—

S. B. No. 265—A bill to be entitled An Act to repeal Chapter 14686, Laws of Florida, Acts of 1931 Legislature, entitled: "An Act relating to the compensation of County Commissioners of each County in the State of Florida having a population of more than one hundred and fifty-five thousand according to the last Federal Census and prescribing the time when this Act shall become a law."

By Senator Mathews—

S. B. No. 266—A bill to be entitled An Act relating to the nomination and election of County Commissioners in each county of the State of Florida having a population according to the last Federal Census of more than 210,000, and to provide for their nomination and election by the voters of such counties at large and not by districts, and to prescribe where they shall reside, and to repeal all laws in conflict herewith.

By Senator Mathews—

S. B. No. 267—A bill to be entitled An Act repealing Chapter 14689, Laws of Florida, Acts 1931, entitled "An Act relating to the nomination and election of county commissioners in each county of the State of Florida having a population according to the last Federal Census of more than 155,000, and to provide for their nomination and election by the voters of such counties at large and not by districts, and to prescribe where they shall reside, and to repeal all laws in conflict herewith."

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bills Nos. 265, 266 and 267, contained in the above Message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Sheldon—

S. B. No. 332—A bill to be entitled An Act relating to the salaries of the judges of the circuit court residing in a county having a population of more than one hundred eighty thousand inhabitants, according to the latest Federal Census, and providing for a portion of such salaries to be paid from the general revenue of such counties and making same a county purpose.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bill No. 332, contained in the above Message, was referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Fuqua and Ray of Manatee—

H. B. No. 468—A bill to be entitled An Act limiting and providing for the criminal trial jurisdiction of justices of the peace in Manatee County, Florida.

Proof of Publication of Notice attached to the above bill.

By Mr. Rivers of Clay—

H. B. No. 471—A bill to be entitled An Act to amend Section 63, of Chapter 21,262, Laws of Florida, Acts of 1941, being entitled "An Act to abolish the present municipality of the City of Green Cove Springs, Florida, and to create, establish, and organize a municipality to be known and designated as the City of Green Cove Springs, Florida, to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges" so as to allow the assessing officer of the City of Green Cove Springs, Florida, in his discretion to assess property within said City by blocks, groups of blocks or groups of lots.

Proof of Publication of Notice attached to the above bill.

By Messrs. Burwell and Stirling of Broward—

H. B. No. 473—A bill to be entitled An Act authorizing the Board of County Commissioners of Broward County, Florida, to create and maintain an equipment fund; defining the purposes and use of said equipment fund; authorizing the Board of County Commissioners of Broward County, Florida, to levy a tax for such purpose, and to provide for the holding of a referendum election to be held upon the call of the Board of County Commissioners of said County and upon a day to be chosen and selected by them, and to be held in accordance with the then effective election laws applicable to general elections.

Proof of Publication of Notice attached to the above bill.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 468, contained in the above Message, was read the first time by title only.

Senator Barringer moved that the rules be waived and House Bill No. 468 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 468 was read the second time by title only.

Senator Barringer moved that the rules be further waived and House Bill No. 468 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 468 was read the third time in full.

Upon the passage of House Bill No. 468 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So House Bill No. 468 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 471, contained in the above Message, was read the first time by title only.

Senator Fraser (29th Dist.) moved that the rules be waived and House Bill No. 471 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 471 was read the second time by title only.

Senator Fraser (29th Dist.) moved that the rules be further waived and House Bill No. 471 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 471 was read the third time in full.

Upon the passage of House Bill No. 471 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So House Bill No. 471 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 473, contained in the above Message, was read the first time by title only.

Senator Beacham moved that the rules be waived and House Bill No. 473 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 473 was read the second time by title only.

Senator Beacham moved that the rules be further waived

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and House Bill No. 473 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 473 was read the third time in full.

Upon the passage of House Bill No. 473 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So House Bill No. 473 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator McArthur, President Pro Tempore, now presiding.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. McDonald, Holland and McMullen of Hillsborough—

H. B. No. 511—A bill to be entitled An Act authorizing the Board of Supervisors of Southwest Tampa Storm Sewer Drainage District, for such consideration as shall appear to said Board advantageous to said District, to compromise and settle all delinquent drainage taxes with accrued penalties for the nonpayment thereof which theretofore shall have been levied and assessed upon the annual tax rolls of said district, where the amount due for such delinquent taxes, with accrued penalties, is ascertained and determined by said Board of Supervisors to exceed the value of all existing liens in favor of said district for such taxes with accrued penalties for the nonpayment thereof.

Proof of Publication of Notice attached to above bill.

By Messrs. McDonald, Holland and McMullen of Hillsborough—

H. B. No. 512—A bill to be entitled An Act authorizing the Board of Supervisors of Southwest Tampa Storm Sewer Drainage District to accept a deed of conveyance from the owner of any parcel of land situate within said district in satisfaction of all delinquent drainage taxes theretofore levied and assessed against the same by said district upon its annual tax rolls, the sale and conveyance by said district of all lands so acquired, and prescribing the effect of conveyances so made.

Proof of Publication of Notice attached to above bill.

By Messrs. McDonald, Holland and McMullen of Hillsborough—

H. B. No. 513—A bill to be entitled An Act authorizing the sale and conveyance by Southwest Tampa Storm Sewer Drainage District of any and all lands which have been or may be acquired by said district from the State of Florida through the Trustees of the Internal Improvement Fund, and prescribing the effect of conveyances so made.

Proof of Publication of Notice attached to above bill.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 511, contained in the above Message, was read the first time by title only.

Senator Sheldon moved that the rules be waived and House Bill No. 511 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 511 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and House Bill No. 511 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 511 was read the third time in full.

Upon the passage of House Bill No. 511 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So House Bill No. 511 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 512, contained in the above Message, was read the first time by title only.

Senator Sheldon moved that the rules be waived and House Bill No. 512 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 512 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and House Bill No. 512 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 512 was read the third time in full.

Upon the passage of House Bill No. 512 the roll was called and the vote was—

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So House Bill No. 512 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 513, contained in the above Message, was read the first time by title only.

Senator Sheldon moved that the rules be waived and House Bill No. 513 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 513 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and House Bill No. 513 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 513 was read the third time in full.

Upon the passage of House Bill No. 513 the roll was called and the vote was:

Yeas—36.

Mr. President	Black	Carroll	Fraser 29th
Ausley	Boyle	Clarke	Fraser 31st
Barringer	Brackin	Coleman 13th	Gray
Baynard	Branch	Coleman 28th	Griner
Beacham	Bryant	Davis	Johns

Johnson	Lindler	Perdue	Sheldon
King 7th	Mathews	Riddle	Sturgis
King 27th	McArthur	Sanchez	Thomas
Lewis	Moon	Shands	Wilson

Nays—None.

So House Bill No. 513 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 7, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Miss Baker and Messrs. Harris of Pinellas, Holland and Poston of Bay, Carlton, Morgan and Crews of Duval, Taylor of Hardee, Getzen of Sumter, Delegal of Suwannee, Clark of Calhoun and Carswell of Washington—

H. B. No. 279—A bill to be entitled An Act to require the enrichment of flour and bread to meet certain standards of vitamin and mineral content, and to fix penalties for violation of this Act.

By the Committee on Statutory Revisions—

H. B. No. 448—A bill to be entitled An Act to amend Sections 95.16, and 95.17, and 95.21 of the Florida Statutes 1941, relating to adverse possession under color of title or under sales made by personal representatives or guardians; redefining adverse possession under color of title and prescribing what shall be deemed to constitute possession and occupation under color of title; and making adverse possession as redefined retroactive by a new Section to be known as Section 95.27, Florida Statutes, 1941.

By the Committee on Statutory Revisions—

H. B. No. 449—A bill to be entitled An Act to amend Section 689.14, Florida Statutes 1941, pertaining to Estates Tail, and to create a new Section to be known as Section 689.17, Florida Statutes, for the purpose of abolishing the rule in Shelley's Case.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 279, contained in the above Message, was read the first time by title only and referred to the Committee on Public Health and the Committee on Agriculture and Livestock, in the order named.

Senator Beacham moved that House Bill No. 279 be referred to the Committee on Public Health only.

Which was not agreed to and House Bill No. 279 was referred to the Committee on Public Health and the Committee on Agriculture and Livestock, in the order named.

And House Bill No. 448, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C".

And House Bill No. 449, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B".

The President now presiding.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Wotitzky of Charlotte—

H. B. No. 479—A bill to be entitled An Act creating the office of County Attorney in and for Charlotte County, Flor-

ida; providing that the present County Attorney elected in November, 1944 shall hold office until the first Tuesday in January 1949; providing for the election of a County Attorney, fixing the term of office of said officer and the compensation to be paid said officer, repealing all laws and parts of laws in conflict herewith.

Proof of Publication of Notice attached to above bill.

By Mr. Lanier of Highlands—

H. B. No. 486—A bill to be entitled An Act to permit the freeholders owning real estate situate in the City of Sebring, Highlands County, Florida, and who are also qualified to vote at any general city election of said city, at an election to be held on the date of the next general election of said city, to decide whether or not a public utilities commission be created and made a part of the government of said City of Sebring; to provide for the holding of said election, the form of ballot to be used and the canvassing of the returns thereof and certifying the same to the governor of state of the State of Florida; to provide for the election of members of said commission, in the event this Act becomes a Law; to fix and prescribe the qualifications of members of said utilities commission and the salary to be paid members of said utilities commission; to provide for the removal for cause of any member of said utilities commission; to provide for the organization of said utilities commission; to prescribe the duties, powers and responsibilities of said Public Utilities Commission; to authorize said utilities commission, within limits specified under this Act, to borrow moneys for operating expenses or repairs and for replacements, machinery and equipment and/or for enlargement and extension of said utilities; to authorize said utilities commission to fix rates and charges for electricity, gas, water or other products furnished by said utilities commission; to provide for reports and accountings by said utilities commission to the city council of the City of Sebring and the annual payment of earnings from utilities, less reserve to be established by said commission, into the general fund of said City of Sebring.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 479, contained in the above Message, was read the first time by title only.

Senator Barringer moved that the rules be waived and House Bill No. 479 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 479 was read the second time by title only.

Senator Barringer moved that the rules be further waived and House Bill No. 479 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 479 was read the third time in full.

Upon the passage of House Bill No. 479 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So House Bill No. 479 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 486, contained in the above Message, was read the first time by title only.

Senator King (27th Dist.) moved that the rules be waived and House Bill No. 486 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 486 was read the second time by title only.

Senator King (27th Dist.) moved that the rules be further waived and House Bill No. 486 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 486 was read the third time in full.

Upon the passage of House Bill No. 486 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So House Bill No. 486 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 3, 1945.

*Hon. Walter W. Rose,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Committee on Judiciary "B"—

H. B. No. 311—A bill to be entitled An Act declaring the public policy of this state regarding divorce decrees rendered by courts of other jurisdictions affecting citizens or residents of this state.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 311, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C".

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

By Mr. Hancock of Madison—

House Concurrent Resolution No. 11:

A Resolution expressing the sincere appreciation of the Florida State Legislature, 1945, to Mr. Fred Mahan of Monticello, Florida, for his hospitality to the members of the Legislature; and for his generous gift of nursery plants for use in highway beautification; and requesting Mr. Elgin Bayless, chairman of the State Road Department, to lend the facilities of his department in the transplanting of the nursery plants.

WHEREAS, Mr. Fred Mahan of Monticello, Florida, has on many occasions exhibited the true spirit of hospitality and has devoted much energy and expense in entertaining the Legislature of the State of Florida, State officials and their friends, and did again on Thursday night, April 26, 1945, royally entertain the members of the Legislature at Monticello, and

WHEREAS, Mr. Mahan has, among other generous acts,

given a large number of nursery plants for the purpose of beautifying the highways, and

WHEREAS these many acts of hospitality and generosity are appreciated by his friends, and particularly by the members of the 1945 session of the Legislature, now, therefore

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That this Legislature does hereby extend to Fred Mahan its sincerest appreciation of his many acts of generosity, friendship and good fellowship, and

That Mr. Elgin Bayless, chairman of the State Road Department, be requested to receive the nursery plants donated by Mr. Mahan and that he lend the facilities of the State Road Department for the purpose of transplanting and setting out these plants toward the beautification of the highway between Monticello and Tallahassee.

That it is the further expression and hope of this Legislature that said plants will be a reminder to all who enjoy their beauty in the future, of the fine spirit of Fred Mahan in making the gift and of the helpful cooperation of Elgin Bayless in utilizing the same.

That copies of this resolution properly certified by the Secretary of State under the great seal of the State of Florida, be immediately forwarded to Mr. Fred Mahan and to Mr. Elgin Bayless.

That a copy of this resolution be spread upon the journals of the House of Representatives and of the Senate and that a copy of this resolution be furnished the press.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 11, contained in the above Message, was read the first time in full.

Senator Clarke moved that the rules be waived and House Concurrent Resolution No. 11 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 11 was read the second time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and House Concurrent Resolution No. 11 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Taylor of Hardee—

H. B. No. 474—A bill to be entitled An Act prohibiting and making it unlawful for horses, asses, mules, cattle, hogs, sheep, goats and all other grazing domestic animals to run or roam at large within Hardee County, Florida; providing for the impounding of all such livestock found running or roaming at large and for fees for said impounding and collection thereof; providing for the sale or other disposition of all livestock impounded; making it a misdemeanor to allow such live stock to run or roam at large in violation of this Act and making the owner of such livestock running or roaming at large in Hardee County, Florida, liable for all damages caused by said live stock and providing a lien therefor.

Proof of Publication of Notice attached to the above bill.

By Mr. Wotitzky of Charlotte—

H. B. No. 475—A bill to be entitled An Act prohibiting and making it unlawful for horses, asses, mules, cattle, swine, sheep, goats and other grazing animals to run or roam at large within Charlotte County, Florida; providing for im-

pounding of live stock found running or roaming at large in violation of this Act; providing impounding fees and for the collection thereof; providing for the sale or other disposition of impounded live stock; making it a misdemeanor to allow such live stock to run or roam at large in violation of this Act; and making the owner of live stock running or roaming at large in violation of this Act liable in damages for all injuries caused, either directly or indirectly, by such live stock while running or roaming at large in violation of this Act and providing a lien therefor.

Proof of Publication of Notice attached to the above bill.

By Mr. Stewart of Lee—

H. B. No. 477—A bill to be entitled An Act regulating the use of nets and seines in the waters of Lee County, Florida; regulating the size of twine, size of mesh, length and depth of nets and seines used in the waters of said county; prohibiting stop-netting and dragging and hauling nets and seines in said county; prohibiting the use of nets and seines in certain ways and manners in the waters of said County; prohibiting the possession of certain nets and seines in said county and providing for the destruction thereof and of nets and seines used in violation of this Act; pertaining to fishing and catching fish with nets and seines in said County; defining words and terms used in this Act; providing penalties of the violation of this Act; repealing all laws in conflict therewith and specifying the time this Act shall take effect.

Proof of Publication of Notice attached to the above bill.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 474, contained in the above Message, was read the first time by title only.

Senator King (27th Dist.) moved that the rules be waived and House Bill No. 474 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 474 was read the second time by title only.

Senator King (27th Dist.) moved that the rules be further waived and House Bill No. 474 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 474 was read the third time in full.

Upon the passage of House Bill No. 474 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So House Bill No. 474 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 475, contained in the above Message, was read the first time by title only.

Senator Barringer moved that the rules be waived and House Bill No. 475 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 475 was read the second time by title only.

Senator Barringer moved that the rules be further waived and House Bill No. 475 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 475 was read the third time in full.

Upon the passage of House Bill No. 475 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So House Bill No. 475 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 477, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on second reading.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1945 Session of the Florida Legislature—

By Messrs. McDonald and Holland of Hillsborough, Peters of Dade, and Curtis of Marion—

H. J. R. No. 23—A Joint Resolution Proposing an Amendment to Article VIII of the Constitution of the State of Florida Relative to Assessment of Property for Taxes and the Collection of Taxes, by Amending Sections 11 and 12 of Article VIII of the Constitution of the State of Florida as adopted at the General Election of November 1944, said amendment to provide for the re-numbering of Sections 11 and 12 of Article VIII of the Constitution of the State of Florida as adopted at the General Election in November 1944, and to amend Section 11 and 12 of Article VIII of the Constitution of the State of Florida, and to provide that in the County of Hillsborough, State of Florida, the County Tax Assessor shall assess the property of the county for the Purpose of Levying State, County, Schools and Municipalities in the County of Hillsborough except the City of Plant City, Florida, which shall be exempt from the provisions of this Amendment, Taxes Levied by the State, County, County School Board, School District, Special Tax School Districts and the Municipalities of the County except the City of Plant City, Florida.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment of Article VIII of the Constitution of the State of Florida relative to the Assessment and collection of all taxes in the County of Hillsborough, State of Florida, by re-numbering Section 11 as adopted at the General Election of 1944 so as to make it read Section 12 of Article VIII of the Constitution of the State of Florida, and by amending Section 12 of Article VIII of the Constitution of the State of Florida as adopted at the General Election in November, of 1944 so as to make it read Section 13 of Article VIII of the Constitution of the State of Florida, and to exclude the City of Plant City from said Amendment; Be and the same is hereby agreed to and shall be submitted to the Electors of the State of Florida for Ratification or Rejection at the General Election to be held on the first Tuesday after the first Monday in November, 1946:

Section 12. 1. From and after January 1, 1948, the County Tax Assessor of Hillsborough County shall assess all property for all State, County, School and Municipal Taxes to be levied in Hillsborough County by the State, County, County School Board, School Districts, Special Tax School Districts and Municipalities except in the City of Plant City, Florida, which city shall be exempt from the provisions of this Section.

2. The Legislature shall, at the Legislative Session in 1947 and from time to time thereafter, enact laws specifying the powers, functions, duties and compensation of the County Tax Assessor designated in Paragraph 1 of Section 12, and shall likewise provide by law for the extension on the Assessment Roll of the County Tax Assessor of all taxes levied by

the State, County, County School Board, School Districts, Special Tax School Districts and Municipalities located in the County of Hillsborough, State of Florida, with the exceptions of the City of Plant City, which is hereby exempt from the provisions of this Amendment.

Section 13. 1. From and after January 1, 1948, the County Tax Collector in the County of Hillsborough, State of Florida, shall collect all taxes levied in the County by the State, County, County School Board, School Districts, Special Tax School Districts and Municipalities of Hillsborough County, Florida, except in the City of Plant City, it being exempt from the provisions of this Amendment.

2. The Legislature shall at the Legislative Session of 1947 and from time to time thereafter, enact laws specifying the powers, functions, duties and compensation of County Tax Collector designated in Paragraph 1 of Section 13, and shall likewise provide for the collection, care, custody, reporting and disbursement of all taxes collected by the County Tax Collector.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Joint Resolution No. 23, contained in the above Message, was read the first time in full.

Senator Sheldon moved that the rules be waived and House Joint Resolution No. 23 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Papy of Monroe—

H. B. No. 140—A bill to be entitled An Act providing that the State Road Department and the Overseas Road and Toll Bridge District shall immediately take appropriate steps by lease or purchase agreement, or both, to free the overseas highway (State Road 4-A) from tolls, and directing the State Board of Administration and the Board of County Commissioners of Monroe County to assist in effectuating the freeing of said highway of tolls.

By Mr. Okell of Dade—

H. B. No. 232—A bill to be entitled An Act making it unlawful to print or publish any publication or printed matter which tends to expose any individual or religious group to hatred, contempt or ridicule, unless the true name and address of the person causing the same to be printed or published, be printed or written thereon.

By Mr. Johnson of Hernando—

H. B. No. 407—A bill to be entitled An Act amending Section 322.21, Florida Statutes 1941, relating to fees to be paid for drivers' licenses, and machinery for handling and collecting same.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 140, contained in the above Message, was read the first time by title only and referred to the Committee on Public Roads and Highways.

And House Bill No. 232, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C".

And House Bill No. 407, contained in the above Message, was read the first time by title only and referred to the Committee on Public Roads and Highways.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 3, 1945.

*Hon. Walter W. Rose,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Fuqua and Ray of Manatee—

H. B. No. 89—A bill to be entitled An Act to cancel and discharge tax sales certificates and tax liens for state and county taxes, now outstanding and unpaid on the following described real estate in Palmetto, Manatee County, Florida:

The W½ of NW¼ of the NW¼ of Section 15, Township 34 South, Range 17 East, and

Begin 35 feet south of NE corner of Block "G" Lamb's Plat. thence west 100 feet, south 35 feet, east 100 feet, north 35 feet to beginning, in Section 14, Township 34 south, Range 17 east.

By Messrs. Holland, McDonald and McMullen of Hillsborough—

H. B. No. 145—A bill to be entitled An Act providing for the assessment and collection in Hillsborough County, Florida, of all taxes levied by the State, County, County School Board, School Districts, Special Tax School Districts and Municipalities in said County, pursuant to Sections 11 and 12 of Article VIII of the Constitution of the State of Florida; to provide for the assessment of all such taxes by the County Tax Assessor; to provide for the collection, care, custody, reporting and disbursement of all such taxes collected, by the County Tax Collector; to provide for additional bond to be posted by the County Tax Collector; to prescribe the powers, functions, duties and additional commissions of said County Tax Assessor and said County Tax Collector in connection therewith; to provide that the tax assessment roll of said County shall be prepared, reviewed, equalized and completed, and all taxes collected thereon shall be in accordance with the General Laws of Florida governing County taxation; to provide that the County Budget Commission of Hillsborough County, Florida, shall have no jurisdiction or power over the annual budgets of or the millages determined and fixed by any Municipality in said County; and to provide for the furnishing of audits made of the Tax Collector's office to each Municipality in Hillsborough County, Florida.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bills Nos. 89 and 145, contained in the above Message, were read the first time by titles only and referred to the Committee on Finance and Taxation.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Committee on Public Roads & Highways—

H. B. No. 447—A bill to be entitled An Act authorizing and empowering the State Road Department of Florida in its discretion to cancel, discharge and charge off accounts receivable from counties and municipalities in the State of Florida, which accounts accrued prior to January 1, 1941.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 447, contained in the above Message, was read the first time by title only and referred to the Committee on Public Roads and Highways.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 3, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Committee on Statutory Revisions—

H. B. No. 418—A bill to be entitled An Act amending and revising Sections 30.08, 30.09, 30.12 and 30.22, Florida Statutes, 1941; and consolidating Chapter 144 of said Statutes with Chapter 30 thereof by consolidating Sections 30.15, 30.16, 144.01, 144.02 and 144.03 and revising them as Section 30.15; consolidating Sections 30.18 and 144.08 and revising them as Section 30.18; and transferring Sections 144.04, 144.05, 144.06 and 144.07 to Chapter 30 and revising and re-numbering them as Sections 30.35, 30.32, 30.33 and 30.34; all of Florida Statutes 1941, and relating to sheriffs, their deputies, duties, powers and obligations.

By the Committee on Statutory Revisions—

H. B. No. 419—A bill to be entitled An Act amending Sections 16.19 to 16.23, inclusive, Florida Statutes, 1941, as amended by Chapter 22000, Laws of Florida, Acts of 1943, and adopting and re-enacting Volume I, Florida Statutes, 1941, including the 1943 Cumulative Supplement to said Florida Statutes, 1941, and the General Laws of the 1941 and 1943 Regular Sessions of the Legislature included therein, together with correction of errors therein and the omission therefrom of certain sections and provisions.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 418, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A".

And House Bill No. 419, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B".

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Rivers of Clay—

H. B. No. 498—A bill to be entitled An Act affecting the government of the Town of Orange Park and providing for the sale of real property for delinquent taxes; providing for the issuance, sale, redemption and foreclosure of tax certificate and issuance of tax deeds.

Proof of Publication of Notice attached to above bill.

By Mr. Stewart of Lee—

H. B. No. 495—A bill to be entitled An Act to amend Section 6 of Chapter 22372, Laws of Florida, Acts of 1943; entitled "An Act creating and establishing a fire control district in that part of Gasparilla Island that is located in Lee County, Florida, providing for the creation and appointment of a fire control board, defining its duties, powers and authority, providing for the raising of funds within such district by taxation on all property within such district, and the method of levying, collecting and disbursing such funds"; and providing for a referendum before the Act shall become effective and when the same shall take effect.

By Messrs. McMullen, McDonald and Holland of Hillsborough—

H. B. No. 500—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Hillsborough County, Florida, to make an annual appropriation not exceeding five thousand dollars (\$5000.00) in its budget each year for contribution on the part of said County toward

the expense of providing and maintaining a service officer or service office in said County to aid and serve discharged veterans who served in the armed forces of the United States in the World Wars; and authorizing and empowering said Board of County Commissioners to pay from its 1944-1945 budget not to exceed the sum of twenty-eight hundred dollars (\$2800.00) budgeted therein toward the expense of such service officer or office during the calendar year 1945 according to terms and conditions to be provided by resolution of said Board of County Commissioners.

Proof of Publication of Notice attached to above bill.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 498, contained in the above Message, was read the first time by title only.

Senator Fraser (29th Dist.) moved that the rules be waived and House Bill No. 498 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 498 was read the second time by title only.

Senator Fraser (29th Dist.) moved that the rules be further waived and House Bill No. 498 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 498 was read the third time in full.

Upon the passage of House Bill No. 498 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So House Bill No. 498 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 495, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 500, contained in the above Message, was read the first time by title only.

Senator Sheldon moved that the rules be waived and House Bill No. 500 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 500 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and House Bill No. 500 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 500 was read the third time in full.

Upon the passage of House Bill No. 500 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So House Bill No. 500 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Melton of Lafayette and Jenkins of Alachua—  
House Memorial No. 5:

A memorial to the President and the Congress of the United States urging the immediate activating of the provisions of the surplus property Act of 1944 to secure the benefits as intended in said Act to states and political subdivisions and their instrumentalities.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Memorial No. 5, contained in the above Message, was read the first time in full.

Senator Boyle moved that the rules be waived and House Memorial No. 5 be read the second time in full and put upon its adoption.

Which was agreed to by a two-third vote.

And House Memorial No. 5 was read the second time in full.

The question was put upon the adoption of the Memorial.

Which was agreed to and House Memorial No. 5 was adopted and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Cobb and Leedy of Orange—

H. B. No. 444—A bill to be entitled An Act to provide that in counties in Florida having a population of not less than 70,000 or more than 70,500 according to the Federal Census of 1940 every person, firm, corporation or association whomsoever, who may operate under any terms whatsoever, including lease arrangement, concessions, traveling shows, exhibitions or amusement enterprises, including carnivals, vaudeville, minstrels, rodeos, theatricals, games or tests of skill, riding devices, dramatic repertoires and all other shows or amusements within the grounds of, and in connection with any fair or exposition in such counties, shall be exempt from the payment of any and all State, County and Municipal taxes and licenses, now or hereafter provided by law, provided said fairs or expositions shall have been incorporated, not for profit, under the provisions of Chapter 7388 of the Laws of Florida, Acts of 1917, as amended, and shall have operated for not less than ten consecutive years since the date of their incorporation.

Proof of Publication of Notice attached to the above bill.

By Mr. McDonald of Hillsborough—

H. B. No. 454—A bill to be entitled An Act providing for the cancellation of, and cancelling tax sale certificates and assessments and tax liens of the City of Tampa, the County of Hillsborough and the State of Florida, upon certain real estate owned or leased by the Trustees of Consolidated Special Tax School District No. 4 in Hillsborough County, Florida, and prescribing the duties of tax collection officials in connection therewith.

By Mr. Hendley of Pasco—

H. B. No. 464—A bill to be entitled An Act ratifying and confirming that certain contract or franchise executed by the Board of County Commissioners of Pasco County, Florida, same being dated January 3rd, 1927, whereby C. J. Edgar was given the right to lay water pipes or mains in the streets and roads of Hudson, Pasco County, Florida, to furnish water to the inhabitants thereof, and authorizing said County Commissioners to renew said contract or franchise and extend the time of operation thereof.

Proof of Publication of Notice attached to the above bill.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 444, contained in the above Message, was read the first time in full and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 454, contained in the above Message, was read the first time by title only and referred to the Committee on Finance and Taxation.

And House Bill No. 464, contained in the above Message, was read the first time by title only and referred to the Committee on Cities and Towns.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Peavy of Madison—

H. B. No. 379—A bill to be entitled An Act regulating the manufacture, renovation, repair and sale of mattresses within the State of Florida.

By the Committee on Public Health—

H. B. No. 400—A bill to be entitled An Act to require Chiropractors to register annually with the State Board of Health.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 379, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B".

And House Bill No. 400, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C".

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Papy of Monroe—

H. B. No. 428—A bill to be entitled An Act amending Section 27.22 Florida Statutes 1941, providing for Assistant State Attorneys, their appointment, qualifications, residence and term of office in circuits of more than two hundred eighty thousand (280,000) population according to the last official Federal census and having six or more Circuit Judges.

By Messrs. Peters, Okell and Oelkers of Dade—

H. B. No. 436—A bill to be entitled An Act to authorize and

empower county boards of public instruction of all counties in the State of Florida having a population of more than 260,000 according to the last Federal Census to grant sick leave to members of the instructional staff of such county boards in addition to the sick leave authorized by Sections 540 and 541 of Chapter 19355 Laws of Florida 1939; providing for the payment of such additional sick leave when so granted, and limiting the amount of such sick leave and compensation that may be paid thereunder.

By Mr. Papy of Monroe—

H. B. No. 441—A bill to be entitled An Act making it unlawful to use seines and nets for catching or taking bone fish (Albula Vulpes) from the waters within the territorial limits of counties having a population of not less than 14,000 and not more than 14,200 according to the last Federal Census, and providing penalties for the violation of this Act.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 428, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B" and the Committee on Appropriations, in the order named.

And House Bill No. 436, contained in the above Message, was read the first time by title only.

Senator Coleman (13th Dist.) moved that the rules be waived and House Bill No. 436 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 436 was read the second time by title only.

Senator Coleman (13th Dist.) moved that the rules be further waived and House Bill No. 436 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 436 was read the third time in full.

Upon the passage of House Bill No. 436 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So House Bill No. 436 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 441, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 7, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, with amendments—

By Senator Mathews—

S. B. No. 87—A bill to be entitled An Act relating to taxation, levying and imposing a tax on cigarettes; defining cigarettes; requiring all cigarette dealers as herein defined to obtain a cigarette permit and exacting a fee therefor in addition to other taxes imposed by law; providing for the

report of sale or other disposition of cigarettes, and the collection and payment of cigarette taxes; providing for the deposit, appropriation and disposition of the proceeds derived from such taxes and fees, and prescribing the duties and powers of the Director of the State Beverage Department and other officers and employees under this Act and providing for payment of their salaries and other expenses of the administration of this Act; providing for bonds by agents and dealers; providing for the enforcement of this Act and penalties for violation hereof.

Which amendments read as follows:

Amendment No. 1:

In Section 21, line 1, of the section, strike out the words "This Act shall take effect July 1st, A. D. 1945, and expire June 30, 1947" and insert the following in lieu thereof: "This Act shall take effect July 1, A. D. 1945."

Amendment No. 2:

In Section 3, line 28, of the section, strike out the figure "3" and insert the following in lieu thereof: the figure "4".

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

Senate Bill No. 87, contained in the above Message, was read by title, together with House Amendments thereto.

Senator Mathews moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 87.

Which was agreed to.

And the Senate concurred in House Amendment No. 1 to Senate Bill No. 87.

Senator Mathews moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 87.

Which was agreed to.

And the Senate concurred in House Amendment No. 2 to Senate Bill No. 87.

And Senate Bill No. 87, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

Senator Sturgis moved that Senate Bill No. 225 be recommended to the Committee on Transportation and Traffic.

Which was agreed to and it was so ordered.

Senator Coleman (13th Dist.) asked unanimous consent of the Senate to take up and consider House Bill No. 9, out of its order, at this time.

Which was agreed to.

H. B. No. 9—A bill to be entitled An Act to amend Section 551.12 of the Florida Statutes of 1941, with respect to frontons, the powers, duties and liabilities of the State Racing Commission and of the operators of frontons, the location thereof and the issuance and granting of permits and licenses for the operation thereof, and the number of operation days.

Was taken up.

Senator Coleman (13th Dist.) moved that the rules be waived and House Bill No. 9 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 9 was read the second time by title only.

Senator Beacham offered the following amendment to House Bill No. 9:

In line 8 from bottom of first page strike out the words: "provided, however, that no operation day shall overlap or include any part of another operational day, and in connection with any operation day which shall start on a Saturday and during which the exhibition shall extend after midnight into Sunday no wagering shall be conducted, allowed or permitted after midnight on such Saturday." and insert in lieu thereof the following: "Provided, however, that no game shall be started later than 12 midnight and before noon on any operation day."

Senator Beacham moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Fraser (29th Dist.) offered the following amendment to House Bill No. 9:

In line 25, (typewritten bill) after enacting clause, after words "set out", insert the following; "Provided, however, that in no event shall any Jai Alai Fronton be licensed to operate within twenty (20) miles of a Fronton already licensed."

Senator Fraser (29th Dist.) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Coleman (13th Dist.) moved that the rules be further waived and House Bill No. 9, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 9, as amended, was read the third time in full.

Upon the passage of House Bill No. 9, as amended, the roll was called and the vote was:

Yeas—27.

Mr. President	Coleman 13th	King 7th	Riddle
Beacham	Coleman 28th	King 27th	Sanchez
Black	Fraser 29th	Lindler	Shands
Boyle	Fraser 31st	Mathews	Sheldon
Brackin	Gray	McArthur	Sturgis
Branch	Griner	Moon	Thomas
Clarke	Johns	Perdue	

Nays—8.

Ausley	Baynard	Davis	Lewis
Barringer	Carroll	Johnson	Wilson

So House Bill No. 9 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senator Davis moved that Senate Bill No. 258, reported unfavorably by the Committee on Finance and Taxation, be placed on the Calendar of Bills on Second Reading.

Pending adoption of the motion made by Senator Davis, Senator Gray moved that the Senate do now adjourn.

Upon which a roll call was demanded.

Upon adoption of the motion made by Senator Gray the roll was called and the vote was:

Yeas—6.

Beacham	Fraser 29th	Johns
Coleman 13th	Griner	Perdue

Nays—27.

Mr. President	Bryant	King 7th	Sanchez
Ausley	Carroll	King 27th	Shands
Barringer	Clarke	Lewis	Sheldon
Baynard	Coleman 28th	Lindler	Sturgis
Black	Davis	Mathews	Thomas
Boyle	Fraser 31st	Moon	
Branch	Johnson	Riddle	

So the motion made by Senator Gray failed of adoption.

Pending adoption of the motion made by Senator Davis,

Senator Ausley moved that the Senate do not adjourn until the motion made by Senator Davis is disposed of.

Which was agreed to and it was so ordered.

Pending adoption of the motion made by Senator Davis, Senator Beacham moved as a substitute motion that Senate Bill No. 258 be re-referred to the Committee on Temperance.

Upon which a roll call was demanded.

Upon adoption of the substitute motion made by Senator Beacham for the motion made by Senator Davis, the roll was called and the vote was:

Yeas—11.

Beacham	Coleman 13th	Johns	Sheldon
Bryant	Fraser 29th	Lindler	Thomas
Clarke	Griner	Perdue	

Nays—23.

Mr. President	Brackin	Johnson	Riddle
Ausley	Branch	King 7th	Sanchez
Barringer	Carroll	King 27th	Shands
Baynard	Coleman 28th	Lewis	Sturgis
Black	Davis	Mathews	Wilson
Boyle	Fraser 31st	Moon	

So the substitute motion made by Senator Beacham for the motion made by Senator Davis failed of adoption.

The question recurred on the adoption of the motion made by Senator Davis.

Upon which a roll call was demanded.

Upon adoption of the motion made by Senator Davis, the roll was called and the vote was:

Yeas—23.

Ausley	Carroll	King 7th	Riddle
Barringer	Coleman 28th	King 27th	Sanchez
Baynard	Davis	Lewis	Shands
Black	Fraser 31st	Lindler	Sturgis
Boyle	Gray	Mathews	Wilson
Branch	Johnson	Moon	

Nays—13.

Mr. President	Clarke	Johns	Thomas
Beacham	Coleman 13th	McArthur	
Brackin	Fraser 29th	Perdue	
Bryant	Griner	Sheldon	

So the motion made by Senator Davis was adopted and Senate Bill No. 258 was placed on the Calendar of Bills on Second Reading.

Senator Davis moved that the Senate take up and consider Senate Bill No. 258, out of its order, at this time.

Pending adoption of the motion made by Senator Davis, Senator Riddle moved that the Senate do not adjourn until final disposition is made of Senate Bill No. 258.

Senator Beacham moved as a substitute motion for the motion made by Senator Riddle that the Senate do now adjourn.

Which was agreed to, and the Senate stood adjourned at 5:48 o'clock P. M., until 11:00 o'clock A. M., Tuesday, May 8, 1945.